

**Remarks**

We request that the examiner reconsider the rejection of Claims 1, 2, 4, 6, 12 – 15, and 21 in light of the following evidence.

**Objections under 37 CFR 1.75(c)**

Claim 15 has been amended and should now be in a condition for allowance.

**Rejections under 35 U.S.C. § 112**

Claims 13 and 21 have been amended and should now be in a condition for allowance.

**Rejections under 35 U.S.C. § 103(a)**

The independent claims in the application were rejected under 35 U.S.C. § 103(a) as being unpatentable over Giuliano et al. in view of Voland. Voland teaches a string of ornaments that can be different shapes or sizes, but the examiner relies on Giuliano for teaching the ornament itself. We believe that the Applicant's ornament itself is not taught by Giuliano, and therefore ask that the examiner reconsider the rejections of Claims 1, 2, 4, 6, 12 – 15, and 21.

Giuliano et al. teaches a flat panel display sign having sides with etched surfaces (Figures 1 and 2). It further teaches that a plurality of light sources may be used, and where this light is scattered by the etched surfaces to create non-random images. Giuliano et al. also teaches irregular shapes for panels, stating:

Though flat panels are useful for many stand-alone applications, *conformable and thin*, non-flat panel configurations may be constructed for applications in which the panel or panels is or are adhered to non-flat or non-linear surfaces.

(emphasis added) (Col. 3, ln. 36 – 40).

While Giuliano et al. teaches of a body that is non-flat, Giuliano et al. still teaches that it must be thin and conformable. Applicant's ornament is a single body that is not limited by a requirement of being thin and conformable. In fact, applicant's ornament is intended to be quite the opposite.

Giuliano et al. in view of Voland could be read to teach a string of holiday ornaments comprising etched surfaces and lit by LEDs. However, this would not teach Applicant's invention. Unlike Applicant's invention, Giuliano et al. and Voland would create a string of holiday ornaments that, if not flat, were at least thin. These thin holiday ornaments could not be used to create three-dimensional objects, such as animals, plants, or the like. While it may be argued that multiple thin non-flat layers placed together, as Giuliano et al. teaches, could create such an ornament, this too is not the case. The teachings of Giuliano et al. would require that each layer have its own light source. Therefore, to create a three-dimensional object using the teachings of Giuliano et al., it would require multiple light sources to adequately light the ornament. This would create excessive lighting requirements and power consumption. Further, each layer would have to be joined together, creating the need for additionally costly steps and supplies. Also, Giuliano et al. teaches that the layers be joined to some additional surface, and that this is the reason for the non-flat layers.

Applicant overcomes this issue with a novel and non-obvious improvement that is not anticipated by Giuliano et al. The current invention has a three-dimensional object that requires only one light source to light the entire object, though more lights may be used to create various lighting effects. Additionally, only one mold is used to create the ornament, and does not require the joining of multiple layers to create the three-dimensional shape, nor does it require that the layers be adhered to some additional surface. This ornament requires fewer light sources, which therefore lowers the power requirements for each ornament. Applicant's improvement also allows for quicker and more cost effective manufacturing, since only one step is required to create the three-dimensional shape.

In light of the evidence and arguments above, we believe that the independent Claims 1 and 12 are in condition for allowance, and therefore all claims depending on Claims 1 and 12 should also be in condition for allowance.

Response to Office Action Mailed 09/20/2006; App. No. 09/990,326; DeRose, Anthony

I certify that the claims as amended introduce no new matter to the application.

Respectfully Submitted,



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Eric Hanscom

Attorney for Applicant

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**Drawing Amendments**

None.